

**ORDINANCE NO. 20100513-057**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9514 ANDERSON MILL ROAD FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT TO WAREHOUSE LIMITED OFFICE-CONDITIONAL OVERLAY (W/LO-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from community commercial-conditional overlay (GR-CO) combining district to warehouse limited office-conditional overlay (W/LO-CO) combining district on the property described in Zoning Case No. C14-2010-0028, on file at the Planning and Development Review Department, as follows:

A 0.992 acre tract of land, more or less, out of the Elisha Allen Survey Abstract No. 18, in Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 9514 Anderson Mill Road, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

B. The following uses of the Property are prohibited uses:

Building and maintenance services  
Convenience storage  
Electronic testing  
Food preparation  
Convalescent services

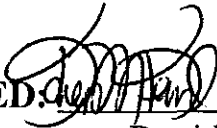
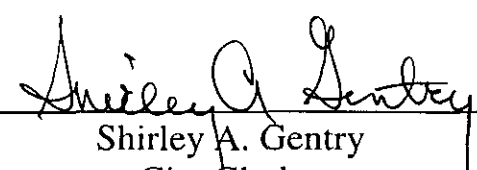
Construction sales and services  
Electronic prototype assembly  
Equipment repair services  
Custom manufacturing

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the warehouse limited office (W/LO) base district, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on May 24, 2010.

**PASSED AND APPROVED**

\_\_\_\_\_, May 13 \_\_\_\_\_, 2010      §  
   §  
   §  
   \_\_\_\_\_  
   Lee Leffingwell  
   Mayor

APPROVED:  for David Allan Smith      ATTEST:   
   David Allan Smith      Shirley A. Gentry  
   City Attorney      City Clerk

**THE RIPPY SURVEYING CO., INC.**

(512) 288-8976

(512) 288-2001 fax

10600 KIT CARSON DRIVE  
AUSTIN, TEXAS 78737

EXHIBIT A

February 8, 2010

FIELD NOTES describing 0.992 acres of land out of the Elisha Allen Survey Abstract No. 18, Williamson County, Texas conveyed to First National Bank in Substitute Trustee's Deed of record in Document Number 2009080228 of the Official Public Records of Williamson County, Texas, said 0.992 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a ½" diameter steel rebar found said point being the Northwest corner of the above said 0.992 acre tract herein described said point being in the East line of that certain Tract conveyed to Pond Springs MiniStorage Tract of record in Document Number 2003065558 of the Official Public Records of Williamson County, Texas;

THENCE with the East line of the above said Pond Springs MiniStorage Tract the following (2) two courses:

1. North 71° 48' 50" East 110.81 feet to a ½" steel rebar found;
2. North 71° 09' 15" East 126.09 feet to a ½" steel rebar found at the Northeast corner of the 0.992 acre tract herein described;

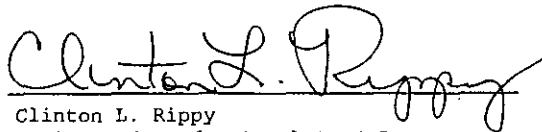
THENCE with the West line of that certain tract of land conveyed to Mailbox and More Tract of record in Document Number 2003122139 of the Official Public Records of Williamson County, Texas South 17° 24' 09" East 186.05 feet to a ½" steel rebar found for the Southeast corner of the above 0.992 acre tract herein described;

THENCE with the North line of that certain 0.078 acre tract conveyed to the City of Austin in Document Number 2003035228 of the Official Public Records of Williamson County, Texas, the following (2) courses:

1. South 70° 47' 47" West 36.50 feet to a ½" steel rebar found;
2. South 72° 34' 57" West 195.86 feet to a ½" steel rebar found at the Southwest corner of the 0.992 acre tract herein described;

THENCE with the East line of that certain tract of land conveyed to Pyramid Associates, LTD in Document Number 2001090284 of the Official Public Records of Williamson County, Texas North 18° 49' 54" West 182.61 feet to the PLACE OF BEGINNING containing 0.992 acres of land.

I hereby certify that the foregoing notes represent the results of a survey made on the ground under my supervision according to law, they are true and correct to the best of my knowledge, this the 8<sup>th</sup> day of February, 2010.



Clinton L. Rippy  
Registered Professional Land Surveyor  
No. 1926

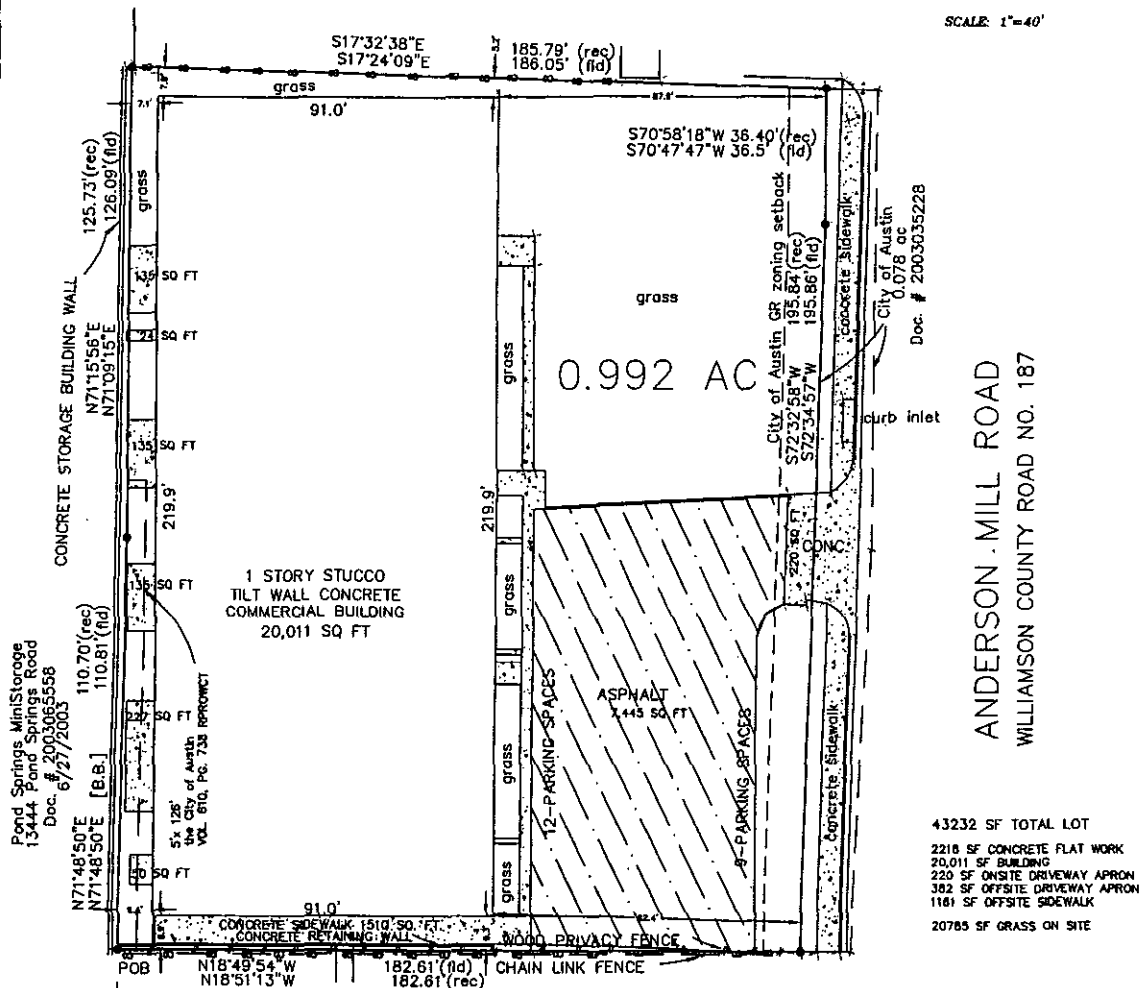
SURVEY MAP OF 0.992 acres of land out of the Elisha Allen Survey Abstract No. 18 conveyed to First National Bank in Substitute Trustee's Deed of record in Doc. #2009080228, Official Public Records in Williamson County, Texas.

\* MAP TO ACCOMPANY FIELD NOTES\*

Mail Box and More  
9422 Anderson Mill Road  
Doc. # 2003122139  
12/19/2003



SCALE: 1"=40'



Pyramid Associates Ltd  
9518 Anderson Mill Road  
Doc. # 2001090284

THIS TRACT IS :

- 1) SUBJECT TO EASEMENT RIGHTS  
Conveyed by Jerry D. Holley to  
the City of Austin  
VOL. 810, PG. 785 RPROWCT  
as shown on this map
- 2) SUBJECT TO an agreement between  
Jerry D. Holley and Mollyville, Ltd.  
June 17, 1983  
VOL. 829, PG. 738 RPROWCT
- 3) SUBJECT PROPERTY LIES WITHIN THE  
BOUNDARIES OF UPPER BRUSHY CREEK  
WATER CONTROL IMPROVEMENT DISTRICT

FEMA NOTE:

This tract is designated as Zone "X"  
(areas outside of the 500 year flood plain)

Federal Emergency Management Agency Flood Insurance  
Map for Williamson County, Texas and Incorporated Areas,  
Community-Panel Number 48491C0610E  
Effective Date: September 28, 2006

Address: 9415 Anderson Mill Road  
Austin, Texas 78729

REF: Mill Shops LP  
GF NO. 093052JR

EFFECTIVE DATE: 11/2/2009  
ISSUE DATE: 11/11/2009

PREPARED BY:

THE RIPPY SURVEYING COMPANY, INC.

Office Address:  
10800 KIT CARSON  
Austin, Texas 78737

(512) 288-8978  
(FAX) 288-2001  
email: crippy@austin.rr.com

I HEREBY CERTIFY TO:  
M&M Shops LP  
First National Bank  
Prominent Title LLC

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL  
BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS  
FOR ANY LOSS RESULTING THEREFROM.

THIS SURVEY WAS THIS DAY MADE UNDER MY SUPERVISION ON THE  
GROUND OF THE PROPERTY DESCRIBED HEREON AND IS TRUE AND CORRECT  
TO THE BEST OF MY KNOWLEDGE. THERE ARE NO VISIBLE DISCREPANCIES,  
CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES  
OR ROADWAYS, EXCEPT AS SHOWN HEREON. SAID PROPERTY HAS ACCESS  
TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

Clinton L. Rippy

2/8/2010

Clinton L. Rippy  
Registered Professional  
Land Surveyor No. 1926

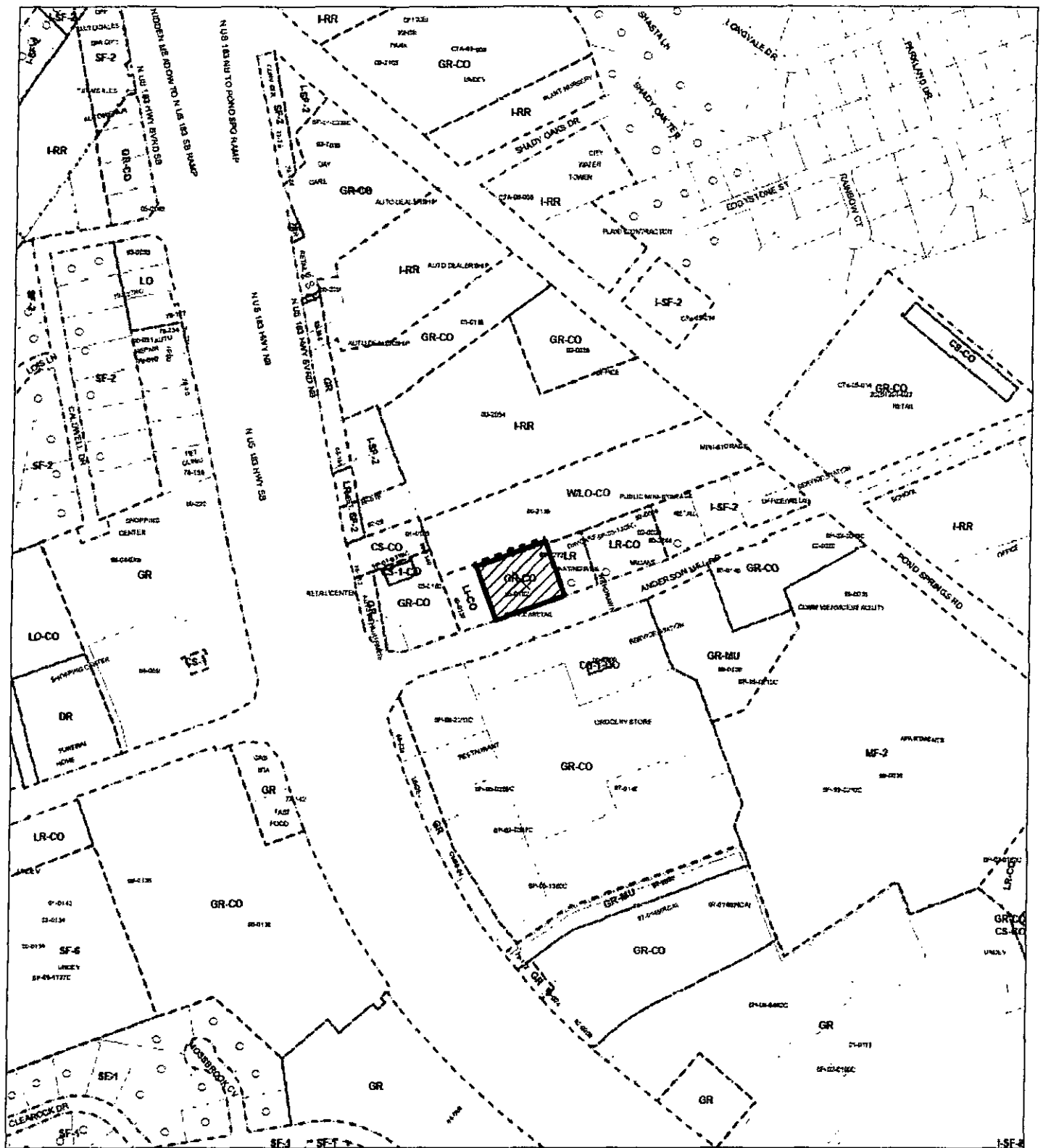
Date

LEGEND

UNLESS NOTED OTHERWISE

- = 1/2" DIAMETER STEEL REBAR FOUND
- = 1/2" DIAMETER STEEL REBAR SET
- (rec) = RECORD BEARING & DISTANCE FOUND
- (rd) = RECORD BEARING & DISTANCE FOUND
- B.B. = BEARING BASIS
- P.O.B. = POINT OF BEGINNING
- P.P. = POWER POLE
- OHE- = OVERHEAD ELECTRIC LINES
- B.F. = 6.0' BOARD FENCE
- C.L. = CHAIN LINK FENCE
- P.U.E. = PUBLIC UTILITY EASEMENT
- B.L. = BUILDING LINE
- RPROWCT = Real Property Records of  
Williamson County, Texas

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SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

OPERATOR: S. MEEKS

# ZONING EXHIBIT B

ZONING CASE#: C14-2010-0028  
 ADDRESS: 9514 ANDERSON MILL RD  
 SUBJECT AREA: 0.992 ACRES  
 GRID: G38  
 MANAGER: S. SIRWAITIS



1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.